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SUBJECT: BELGIAN GOVERNMENT LIFTS IMMIGRATION STALEMATE

[1](#)1. Summary: On July 17 the GOB agreed on new terms for dealing with the growing number of immigrants and asylum-seekers in Belgium. The agreement puts a thorny political problem to rest for a while, and illustrates Prime Minister Herman Van Rompuy's talent for compromise in Belgian politics. End Summary.

BELGIUM'S IMMIGRATION PROBLEM

[1](#)2. Belgium's immigration policy is no more restrictive than that of most of its European neighbors. However, a series of demonstrations in Brussels by undocumented immigrants and their Belgian supporters, including hunger strikes and stunts such as the occupation of cranes at building sites in downtown Brussels last year, put increasing pressure on the GOB to ease and expedite regularization of undocumented foreigners. The government also faced (and continues to face) a shortage of housing for refugees, as it was trying to accommodate not only those waiting for a hearing on their applications, but also those who were appealing adverse decisions, were homeless after winning their cases, were unaccompanied minors and others. Today, Belgium is home to some 971,500 foreign nationals (nine percent of the population) as well as an estimated 100,000 undocumented aliens. In the year 2000, the GOB enacted a mass regularization of undocumented aliens and awarded some 50,000 people residency permits. In recent years the GOB's more restrictive approach to immigration has reduced the number of persons seeking refuge in Belgium. The Belgian Commissariat for Refugees awarded refugee status to roughly 2,500 people in 2008, while the Immigration Minister awarded residence permits to 8,639 undocumented aliens on humanitarian grounds that same year.

CRITERIA FOR RESIDENCY

[1](#)3. The GOB's agreement affects mainly those aliens already present and does not set rules for future arrivals. Applications for regularization must be submitted by December 15, 2009. On a case by case basis, aliens who meet the following criteria can receive residence status:

-- Those whose applications for asylum or residence have not been acted on within five years.

-- Those who have put down family, social or economic roots in Belgium.

-- Those who have lived in Belgium since March 31, 2007 and can show they have employment or an offer of employment.

-- Those who can show humanitarian reasons and are among the "most vulnerable."

COMMENT

[1](#)4. Prime Minister Van Rompuy let it be known in early July that he would not allow the government's budget process to proceed until a solution to the question of undocumented immigrants was found. When he took office in December 2008, he had promised to find a solution to the immigration stalemate. Disagreements between francophone and Flemish ministers prevented action until Van Rompuy's ultimatum. Immigration Minister Annemie Turtelboom (Open VLD), who has moved to Minister of Interior in the post-election government reshuffle, lost considerable political capital for her ineffectiveness in dealing with the problem. Socialist Minister of Integration, Marie Arena, had pushed for regularization of as many undocumented as possible, and was@mpromise with Turtelboopoliticians are often aQ ofrussels a the June regional elecior WathelQt and Philippe Courard, respectively) opened Qp room for a compromise. The

agreement reached by the Belgian cabinet has triggered some negative reactions from politicians in Holland who fear that Belgium's unilateral decision will attract scores of new immigrants to the Netherlands as well as Belgium. Belgian officials believe that some 25,000 undocumented persons will qualify for permanent residence under the new legislation. The agreement is a victory for Herman Van Rompuy as Prime Minister and illustrates his ability to find compromise -- one talent that is greatly prized among Belgian politicians. The July 17 agreement will not fully solve Belgium's problems with illegal immigration, but it will at least allow the GOB

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to carry on after the summer recess period. End comment.

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